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2317.104

ACCEPTED/FILED

FEB 19 2014

February 19, 2014

***Via Hand Delivery***

Federal Communications Commission  
Office of the Secretary

Ms. Marlene Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**Re: Comments of LeSEA Broadcasting of South Bend, Inc.  
Notice of Proposed Rulemaking, *In re Amendment of Section 73.622(i)*  
Final DTV Table of Allotments Television Broadcast Stations  
South Bend, Indiana**

**MB Docket No. 14-1  
RM 11710**

Dear Ms. Dortch:

Please find attached an original and one (1) copy of the comments of LeSEA Broadcasting of South Bend, Inc. to be filed in the above captioned proceeding. If there are any questions about this filing, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads 'Elise M. Stubbe'.

Elise M. Stubbe

EMS:faz  
Enclosures

cc: LeSEA Broadcasting of South Bend, Inc.

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LIST ABOVE

BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, DC 20554

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Federal Communications Commission  
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In the Matter of	§	
	§	
Amendment of Section 73.622(i)	§	MB Docket No. 14-1
Final DTV Table of Allotments	§	RM 11710
Television Broadcast Stations	§	
(South Bend, Indiana)	§	

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To: Chief, Video Division, Media Bureau

**Comments of LeSEA Broadcasting of South Bend, Inc.**

LeSEA Broadcasting of South Bend, Inc. ("LeSEA"), through undersigned counsel, hereby files these comments pursuant to Section 1.415 and 1.419 of the Commission's rules in support of the proposed substitution of post-transition DTV channel 48 for channel 46 at South Bend as set forth in the *Notice of Proposed Rulemaking* ("NPRM"). MB Docket No. 14-1, DA 14-26 (Jan. 9, 2014)<sup>1</sup>. Specifically, LeSEA states the following:

LeSEA is the licensee of WHME-TV, Fac. Id. 36117, South Bend, Indiana. It is currently operating the station on channel 48 pursuant to a license granted in 2006 in file BLCDT-20060109ABG. It also holds a construction permit in file BPCDT-20090716AAZ<sup>2</sup> to build WHME-TV's digital facilities on channel 46 arising out of its prior rulemaking proceeding to move WHME-TV to channel 46. *See* Report and Order, MB Docket No. 08-102, DA 09-1099. As stated in its petition filed on October 25, 2013, LeSEA has now decided to remain on channel 48 and not build out the facilities on channel 46, necessitating the substitution of channel 48 for 46 in the Table.

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<sup>1</sup> See also Petition of LeSEA Broadcasting of South Bend, Inc. (filed Oct. 25, 2013). LeSEA incorporates by reference its previously filed pleadings in this matter.

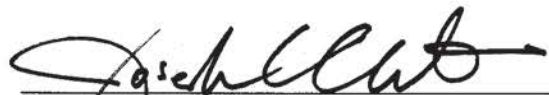
<sup>2</sup> This permit will expire on March 8, 2014.

It is filing these comments for the purpose of stating its continued interest in the proposed substitution of channels which would allow it to make WHME-TV's Channel 48 operation permanent. A grant of this reallocation request would serve the public interest by allowing LeSEA to continue to operate its currently licensed facilities and to channel the monies it would have spent building out channel 46 facilities into its current service. Further, as recognized by the Commission in the NPRM, the substitution of channel 48 for channel 46 can be done in South Bend. It also can and would be done in conformity with WHME-TV's current licensed parameters which have already been approved by the Commission. If channel 48 is reallocated to South Bend as requested, LeSEA will, as necessary, promptly file a minor modification application for the construction permit to specify the new channel 48.

LeSEA also agrees with and supports the Commission's conclusion that a waiver of the freeze on the filing of channel substitution rulemaking petitions would serve the public interest. The continued acceptance and processing of this petition would assist, not hinder, the DTV transition, both with respect to finality of the Table and repacking. In conclusion, LeSEA restates its present intention to apply for the channel if it is allotted and, if authorized, to promptly confirm and license the station's facilities on channel 48. It respectfully requests that the DTV Table of Allotments be amended to substitute channel 48 for channel 46 at South Bend, Indiana.

Respectfully submitted,

LeSEA Broadcasting of South Bend, Inc.



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(985) 629-0777  
Its Counsel

Dated: February 19, 2014